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6 Attorneys for Defendants
7 ROCKLIN U.S.D., PLACER COUNTY SELPA, KRISTI GREGERSEN,
TROY TICKLE, KRISTAIN ROYER & BETH DAVIDSON
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10 THE UNITED STATES DISTRICT COURT
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12 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION
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14 Louie Andres MARQUES, Gloria V.M.,) **Case No. 2:22-CV-00150-TLN-KJN**
15 Thomas V.M., and Jordan V.M.,)
Plaintiffs,) **STIPULATION REGARDING**
vs.) **EXTENSION OF DEFENDANTS' TIME**
GUIDING HANDS SCHOOL, Inc., et al.,) **TO RESPOND TO THE SECOND**
Defendants,) **AMENDED COMPLAINT; ORDER**

)

20 Plaintiffs Gloria V.M., Thomas V.M., and Jordan V.M., and Defendants, ROCKLIN
21 UNIFIED SCHOOL DISTRICT, PLACER COUNTY SELPA, KRISTI GREGERSEN, TROY
22 TICKLE, KRISTAIN ROYER, and BETH DAVIDSON, by and through their attorneys of
23 record, pursuant to Fed. R. Civ. P. 6 and 83 and Local Rules 143 and 144, hereby stipulate as
24 follows: These Defendants may have until March 15, 2022 to respond to the Plaintiffs' Second
25 Amended Complaint.

26 Good cause exists for the requested relief, as follows:
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STIPULATION REGARDING EXTENSION OF TIME FOR DEFENDANTS TO RESPOND TO SECOND AMENDED COMPLAINT

1 This action was commenced in August, 2020 in El Dorado County Superior Court.
2 Defendants herein were not served with the Complaint, nor with the First Amended Complaint.
3 On November 2, 2021, plaintiffs filed their Second Amended Complaint (“SAC”).

4 On or about January 6, 2022, plaintiffs served the SAC on defendants ROCKLIN
5 UNIFIED SCHOOL DISTRICT, PLACER COUNTY SELPA, KRISTI GREGERSEN, TROY
6 TICKLE, KRISTAIN ROYER and BETH DAVIDSON.

7 On January 28, 2022, defense counsel sent correspondence to plaintiffs’ counsel to meet
8 and confer regarding defense counsel’s view that the SAC was barred by virtue of the
9 provisions of the Government Claims Act (Cal. Govt. Code §900 et seq.), and that the
10 allegations set forth in the SAC were insufficient to state the causes of action asserted, as a
11 result of which, it was counsel’s view that, unless substantially amended, the entire SAC would
12 be subject to demurrer.

13 On February 3, 2022, pursuant to Cal. Code of Civil Procedure §§430.41(a)(2), defense
14 counsel filed a Declaration of Demurring Party in Support of Automatic Extension to obtain a
15 thirty day extension of time regarding the deadline to file a responsive pleading to the SAC so
16 that the parties could meet and confer and discuss any possible amendments to the SAC which
17 would alleviate defense counsel’s concerns.

18 On February 7, 2022, defendants were notified by plaintiffs’ counsel that Defendant
19 CALIFORNIA DEPARTMENT OF EDUCATION had filed a Notice of Removal to the
20 Eastern District on January 25, 2022. Defendants have not yet been served with the Notice of
21 Removal.

22 On February 9, 2022, defense counsel and plaintiffs’ counsel conferred by telephone in
23 order to discuss the status of the case, the removal of the case to federal court, and defendants’
24 expressed concerns about the SAC. Defense counsel noted that defendants intended to raise the
25 same concerns regarding the SAC in a Motion to Dismiss, instead of by demurrer, now that the
26 action had been removed to federal court. Plaintiffs’ counsel, who was in trial in Southern
27 California, had not yet had an opportunity to review defendants’ position in detail, and it was
28 agreed that additional time was necessary to afford him an opportunity to do so. The parties

1 agreed to seek an extension of time from this court to permit these defendants to file a
2 responsive pleading to the SAC up to and including March 15, 2022, in order to afford
3 additional time for plaintiffs to amend the SAC, if they decide to do so, and for defendants to
4 file a Motion to Dismiss, if they do not.

5 No previous extensions of time have been requested.
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7 IT IS SO STIPULATED.
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9 Dated: February 10, 2022
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LAW OFFICES OF SETH L. GOLDSTEIN

11 /s/Seth L. Goldstein
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By _____
13 SETH L. GOLDSTEIN,
14 Lead Counsel for Plaintiffs,
GLORIA V.M., THOMAS V.M.
and JORDAN V.M.
15

16 Dated: February 10, 2022
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THE BENNETT LAW GROUP

18 /s/Merit Bennett
19

By _____
MERIT BENNETT
Co-Counsel for Plaintiffs
20

21 Dated: February 10, 2022
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EVANS, WIECKOWSKI, WARD &
SCOFFIELD, LLP
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24 /s/Carol A. Wieckowski
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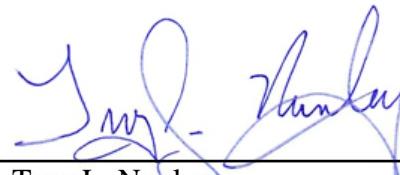
By _____
Carol A. Wieckowski
Attorney for Defendants
26 ROCKLIN U.S.D., PLACER COUNTY SELPA,
KRISTI GREGERSEN, TROY TICKLE,
KRISTAIN ROYER & BETH DAVIDSON
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STIPULATION REGARDING EXTENSION OF TIME FOR DEFENDANTS TO RESPOND TO SECOND AMENDED COMPLAINT

1
2 **ORDER**
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4 IT IS SO ORDERED.
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6 Dated: February 14, 2022
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10 Troy L. Nunley
11 United States District Judge
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